

REMARKS

The present amendment is submitted in an earnest effort to advance this case to issue without delay.

1. The priority claim acknowledgment in paragraph 12 of PTOL 326 is appreciated.

2. Claim 19 has been amended to eliminate the informality referred to under "claim objections" on page 2 of the Office Action.

3. Claim 1 has been amended to indicate that the teeth of the toothed rings extend axially with respect to the axis of the system and perpendicular to the end faces. That is not shown structurally in BOHMER patent 4,587,820 and thus the anticipation rejection under 35 USC 102(b) on that reference cannot stand.

4. Claim 1 has been amended, as noted to recite the axis D and the configuration of the end faces and the toothed rings thereon in greater detail and to set forth the fact that the teeth of the two toothed rings (5, 6) extend axially with respect to the axis (D) of rotation and perpendicular to the end faces.

Both the BOHMER Patent 4,857,820 and the BENZ open German application DE 3,229,201A1 are directed exclusively and only to spur gear arrangements in which the teeth enterengage exclusively radially with one another (see, BOHMER col. 3, lines 49 to 60 and col. 4, lines 24 to 52). In BENZ this is clear from the preamble to claim 1 and the pages marked 3 and 4, to paragraph 2 of the latter, and as discussed in the background portion of the present application as a starting point of the invention that spur gear configuration has long been known in Voith systems.

With the presently claimed system in which the teeth of the rings extend axially, the improvements described over the Voith arrangement are obtained.

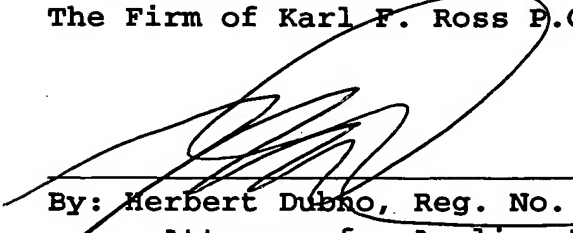
Since an arrangement in which the teeth run axially parallel to the axis and perpendicular to the end faces is not taught in BOHMER, the rejection on BOHMER under 35 USC 102 cannot stand. A rejection on BOHMER Alone under 35 USC 103 is also not possible since there is nothing in BOHMER which would enable the ordinary worker in the art to modify the actual teachings of the reference to provide axially extending teeth as now recited.

The secondary references, namely, SHEN and BENZ do not suggest a modification of BOHMER to meet claim 1 as currently amended.

Accordingly, the claims which remain in the case are deemed to be allowable over all of the references both under 35 USC 102 and 35 USC 103.

An early notice to that effect is earnestly solicited.

Respectfully submitted,  
The Firm of Karl F. Ross P.C.

  
By: Herbert Dubno, Reg. No. 19,752  
Attorney for Applicant

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5676 Riverdale Avenue Box 900  
Bronx, NY 10471-0900  
Cust. No.: 535  
Tel: (718) 884-6600  
Fax: (718) 601-1099

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